IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5523 OF 2007

Khalai Mahila (Magasvargiya)
Udyog Sahakari Sanstha Maryadit .. Petitioner
Versus
State of Maharashtra & Ors. .. Respondents

Mr.P.A.Pol for petitioner
Mr.R.M.Patne, A.G.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 28th November 2007

P.C.

. In my view, the order of suspension is of 31st October 2002 and grievance appears to be not that the card holders are inconvenienced or that some inferior quality of commodities are being sold through the fair price shop. All that is alleged is that persons below poverty line have not come forward to lift the materials which were meant for their consumption. The petitioner

points out that the card holders had shifted to some other shop in 2002 itself. Secondly, remaining card holders themselves were not coming forward to lift the materials which are meant for their consumption. Further, there are difficulties pointed out with regard to the Ration shop keepers not being able to sell the commodities as the price of the commodities which are sold through ration shop and in open market being on par, they are finding it difficult to dispose of the stock. In such circumstances, despite adverse orders, the petitioner can make a representation to the authorities to allow it to run shop. The shop being allotted to the society of backward class women, such representation, if made must be considered uninfluenced by any observations in the impugned order. Petition disposed of. No costs.

(S.C.Dharmadhikari, J)